

## **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1-17 are pending in this application. Claims 1, 4, 5, 6, 8 and 13 are independent. Claims 1, 4, and 24 are hereby amended. Claims 3, 13-21, and 28-32 have been canceled without prejudice or disclaimer of subject matter. It is submitted that these claims, as originally presented, were in full compliance with the requirements 35 U.S.C. §112. No new matter has been introduced by this amendment. Support for this amendment is provided throughout the Specification. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which the Applicant is entitled.

### **II. 35 U.S.C. § 103(a) REJECTIONS**

Claims 1 and 3-7 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,760,915 to deCarmo (hereinafter, merely "deCarmo") in view of U.S. Publication No. 2002/0057893 to Wood, et al. (hereinafter, merely Wood).

Claim 2 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over deCarmo in view of Wood and in further view of U.S. Patent No. 6,385,388 to Lewis et al.

(hereinafter "Lewis").

Claims 8-11 and 13-16 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Lewis in view of Wood.

Claims 12 and 17 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Lewis in view of Wood and in further view of U.S. Patent No. 6,035,329 to Mages et al. (hereinafter, merely "Mages").

### III. RESPONSE TO REJECTIONS

Claim 1 recites, *inter alia*:

"An information playback apparatus...

wherein said user is able to increase a value of said identification information, input by a user, used for identification of a recording medium and a value of said identification information recorded on a recording medium loaded in said information playback apparatus,

wherein the increased values of the identification information are written over the original values of the identification information in the storage control step, and

wherein, if a maximum of identification information is achieved, the new identification information is written over a user-selected replaceable identification information." (emphasis added)

As understood by Applicants, deCarmo relates to a method and system for preventing viewing of objectionable content found with one or more digital multimedia input streams. A universal rating manager analyzes an incoming digital data signal to determine if the content rating of the signal is acceptable for decoding. The ratings manager analyzes multiple rating levels that have been implemented by the user. If they are enabled, the ratings manager finds a compatible rating level. If they are not enabled, access is not granted for decoding of the video stream and the ratings manager returns the signal identifying reasons for denial of access.

As understood by Applicants, Wood relates to digital recording and playback of audio and video streams.

It is respectfully submitted that the applied combination of deCarmo and Wood does not teach the above-recited features of independent claim 1.

Applicants submit that deCarmo and Wood, taken alone or in combination, fail to teach or suggest the features of claim 1. Specifically, Applicants submit that there is no teaching or suggestion of an information playback apparatus wherein the increased values of the identification information are written over the original values of the identification information in the storage control step, and, if a maximum of identification information is achieved, the new identification information is written over a user-selected replaceable identification information, as recited in claim 1.

Applicants, therefore, respectfully submit that independent claim 1 is patentable.

For reasons similar to those described above with regard to independent claim 1, independent claims 4, 5 and 6 are also believed to be patentable.

Claim 8 recites, *inter alia*:

“A method for controlling playback...

wherein said user is able to increase a value of said permission condition associated with said playback device and a value of said recording medium identification for each of said one or more recording media,

wherein the increased value of said permission condition is written over the original value of the permission condition in storage, and

wherein, if a maximum of the recording medium identification information is achieved, new recording medium identification information is written over a user-selected replaceable recording medium identification information.” (emphasis added)

As understood by Applicants, Lewis relates to a user interface for a digital video apparatus capable of restricting playback of stored video and audio information in response to program related information such as parental control ratings included with the video and audio information. A program chain provides particular playback sequences where multiple parental blocks are created to generate sequences corresponding to different parental control ratings. Different versions of video are provided corresponding to different parental control ratings in order to seamlessly branch between various scenes to provide multiple playback sequences.

It is respectfully submitted that the applied combination of Lewis and Wood does not teach the above-recited features of independent claim 8.

Applicants submit that Lewis and Wood, taken alone or in combination, fail to teach or suggest the features of claim 8. Specifically, Applicants submit that there is no teaching or suggestion of a method for controlling playback wherein the increased value of said permission condition is written over the original value of the permission condition in storage, and wherein, if a maximum of the recording medium identification information is achieved, new recording medium identification information is written over a user-selected replaceable recording medium identification information, as recited in claim 8.

Applicants, therefore, respectfully submit that independent claim 8 is patentable.

For reasons similar to those described above with regard to independent claim 8, independent claim 13 is also believed to be patentable.

Therefore, Applicants submit that independent claims 1, 4, 5, 6, 8 and 13 are patentable.

#### IV. DEPENDENT CLAIMS

The other claims are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the above-identified reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

#### CONCLUSION

In the event the Examiner disagrees with any of the statements appearing above with respect to the disclosures in the cited reference or references, it is respectfully requested that the Examiner specifically indicate the portion, or portions, of the reference, or references, providing the basis for a contrary view.

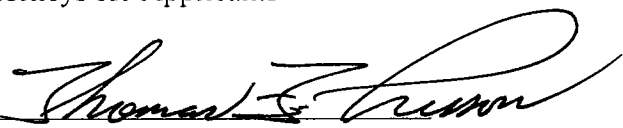
In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Please charge any fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP  
Attorneys for Applicants

By



Thomas F. Presson  
Reg. No. 41,442  
(212) 588-0800